

Declaration of the Alliance of Ojibwe Anishinaabeg

PREAMBLE

We, the Ojibwe Anishinaabeg, the original people, who throughout history have formed powerful alliances with other nations, based upon the premise that we may continue to form future alliances, in order to reunify the numerous Human Beings of the Ojibwe Anishinaabeg Nation, to protect the Rights of Nature and our treaty responsibilities, preserve our sovereignty, enrich our culture, achieve and maintain a desirable measure of prosperity and the blessings of freedom acknowledging with humility and gratitude the goodness, aid, and guidance of the Creator (Gizhe-Manido/Ke-che-mun-e-do) of the Universe in permitting us to do so, do ordain and establish this Alliance for the Governments of the Ojibwe Anishinaabeg.

Article I. Rights of Nature.

Let it be now known that the inherent Rights of Nature should be preserved and protected on an equal base with human rights as it is Nature that sustains us. Nature, including ALL Plant life, Treaty Lands, Waters, Airspace, and adjacent territories, as well as every living soul and creature, is hereby granted plenary rights to exist and flourish and shall be protected from all agencies who disturb her Natural serenity. It is our first responsibility to protect Anishinaabe akiing in a natural state and tribally manage and utilize our abundant gifts in a good way.

Article II Origin

Section 1 As taught in our Creation story, Our Creator prepared the Earth with a great abundance and diversity of life to sustain and keep our Ancestors well. Human Beings were Creator's last Creation. We have been taught to respect all life as it is necessary to sustain us, while conversely, recognizing our humble role as caretakers, and fully realizing our responsibilities to protect our good environment.

Section 2 We are currently living on new earth or Oski Akiing. Our origins were transmitted through oral history and "hieroglyphics" which many of our contemporaries have observed as pictographs on the rock.

It is the belief that we human beings angered Gizhe Manido/Ke-che-mun-e-do so a deluge occurred. Nanaboozhoo interceded and we were allowed to exist and subsist in Anishinaabe Akiing. Nanaboozhoo is a significant part of our oral history. It is also widely known according to our oral history that we came from the East. Others say we came from different directions because we were nomads. Our journey was a mystical journey directed by forces many do not know about today. However, our origin and history are incorporated into our language, beliefs, and customs.

Article III. Treaty Rights

Section 1 As agreed, in our many Treaties with the U.S. government, the Ojibwe Anishinaabeg do hereby retain all rights and responsibilities, since time immemorial, set forth by our Ancestors which do preserve our original rights to hunt, fish, and gather therein, as well as the natural authority to maintain our original language, teachings, customs, and ceremonial practices, as they are the prescription for a good life and good Treaty relationships.

Article IV. Federal Relationship

Section 1 The Ojibwe Anishinaabeg Alliance reaffirms the sovereignty of the individual Bands and Reservations and acknowledges the unique legal and political relationship between the Ojibwe Anishinaabeg and the United States of America established through and confirmed by the Constitution of the United States, treaties, statutes, executive orders, and judicial decisions. In recognition of that relationship, both governments shall engage in regular and meaningful collaboration in the development of Federal policies that have tribal implications and are responsible for strengthening the government-to-government relationship between the United States and Indian tribes.

Article V. Relationship with State and Local Governments

Section 1 Tribal sovereignty forms the legal concept that is the basis for the relationship with states and local governments. A government-to-government relationship is the application of this concept and the legal framework underlying the agreements, compacts, contracts, and other negotiated arrangements. Therefore, any policy decisions affecting a tribe must be negotiated and coordinated with the tribal government through collaboration as equal partners.

Article VI. Jurisdiction

The boundaries of Alliance territory shall be those described by the Treaties of its constituent reservations:

Section 1 The founding Reservations are those previously organized as the Minnesota Chippewa Tribe under Section 16 of the Act of June 18, 1934 (48 Stat. 984), as amended, which include White Earth, Leech Lake, Fond du Lac, Bois Forte, Grand Portage, Sandy Lake, and Mille Lacs.

Article VII. Admission of Additional Reservations

Section 1 The Ojibwe Anishinaabeg historically inhabited the boundaries of North America/Turtle Island and many continue to reside there beyond the boundaries of the founding reservations.

Section 2 Additional Reservations may be admitted into the Alliance: upon the consent of each Reservation's governing body as well as by referendum vote of its People.

Article VIII. Sovereign Rights of Constituent Reservations

Section 1 The constituent Reservations of the Alliance retain the right to organize local government; adopt their own Constitutions; exercise rights retained specifically for them under Treaty; exercise inherent rights not expressly granted to the Alliance under this Declaration; and adopt local rules, regulations, and legislation that does not abridge this Declaration of Alliance.

Article IX. Citizenship

All citizens of the Alliance must be original enrollees, or descendants of original enrollees listed in prior governing documents sanctioned by the Act of June 18, 1934 (48 Stat. 984) and/or their descendants. The Alliance recognizes the basic rights retained by all People and groups affiliated with the Alliance, retained from time immemorial, to remain a separate and distinct People. Nothing in this Declaration shall be construed to prohibit the People of the Alliance's constituent reservations from pursuing their inherent right to govern themselves, provided that it does not diminish the jurisdiction of the Ojibwe Anishinaabeg Alliance as enumerated in this document.

Section 1 There shall be established in the Constitutions of the constituent Reservations, an Article defining and delineating the Citizenship requirements of each Reservation.

Section 2 Citizenship, as used in this Article, refers to the process of enrolling at one of the constituent reservations which meet a lineal descent requirement.

Article X. Distribution of Powers

The powers of the Alliance shall be vested in a General Assembly consisting of six (6) members from each of the member reservations of the Alliance.

Section 1 Selection of General Assembly members must be delineated in the Constitution of the individual reservations and by an election, or by appointment, as determined by the citizenship of each reservation.

Section 2 The General Assembly may create temporary ad-hoc committees charged with performing specific tasks and consisting of members from the reservations with the requisite knowledge and skill to perform the specific task.

Article XI Elections

Section 1 All elections shall be ruled by the Simple Majority Vote of those eligible to vote, who voted, Election procedures shall be followed as delineated in an Election Ordinance.

Article XII Civil Right

Section 1 Tribes have a unique relationship with the U.S. Government. This relationship creates complex laws related to civil rights protections. Therefore, no Indian tribe may enact or enforce any law denying their citizens duly protected rights.

Section 2 All citizens of the tribe shall be accorded by the governing body equal rights, equal protection, and equal opportunities to

participate in the economic resources and activities of the tribe, and no citizen shall be denied any of the constitutional rights or guarantees enjoyed by other citizens of the United States, including but not limited to freedom of religion and conscience, freedom of speech, the rights to orderly association or assembly, the right to petition for action or the regress of grievance and due process of law.

Article XIII Tribal Appellate Court

Section 1 The General Assembly shall establish a Court of Appeals which shall be the court for all cases in which an appeal is filed within the Tribal Court System.

Section 2 Tribal Appellate Court shall be exercised to the fullest extent consistent with tribal self-determination and the sovereign powers of the Tribe.

Section 3 No judge shall preside over a matter in the Court of Appeals if he or she presided over the same matter in the Tribal Court.

Article XIV COUNCILS

Section 1 The councils will consist of a Women Council, Elder Council, Men Council, Youth Council, and On-reservation and Off-reservation Citizen Councils.

Section 2 The role of the Individual Councils shall be oversight of the Tribal Governing Bodies. In fulfilling their role, the Councils shall take into consideration sustainability, safety, general welfare, and the needs of their representative group.

Section 3 Through a process of consultation with the Governing Bodies, Tribal and Appellate Courts, the Councils shall provide oversight consistent with traditional ways; make decisions that take into consideration a vision for the future; consider tribal customs such as hunting, fishing, and gathering rights; make recommendations based on, traditional remedies, alternatives or reconciliation; protect citizen's constitutional rights and interests; build cohesiveness and lead by example.

Article XV. Clans

Nothing in this Declaration shall be construed to prohibit the right of any Ojibwe to belong to one of the seven original clans or any derivative of them. It is the citizen's duty to protect, respect, and honor the history and meaning of the animals, birds, and fish representing each Clan.

Section 1 Seven Original Clans

- a. The Crane (Ajijaak) Clan
- b. The Loon (Maang) Clan
- c. The Bear (Makwa) Clan
- d. The Catfish (Maanameg) Clan
- e. The Marten (Waabizheshi) Clan
- f. The Deer (Wawasheshe) Clan
- g. The Bird (Be-nays) Clan

Article XVI. Supersedes Constitution of 1936, revised 1963, amended 1972, 2006.

The provisions of this Declaration overrule, supersede, and repeal the provisions of the Constitution and Bylaws of the Minnesota Chippewa Tribe approved on the 24th day of July 1936, and the provisions of the Revised Constitution and Bylaws of the Minnesota Chippewa Tribe adopted on November 23, 1963, and as amended in 1972, 2006.

Article XVII Adoption

This Declaration shall become effective when ratified by the eligible voters of the Minnesota Chippewa Tribe, who vote. Upon ratification of this Declaration, the Minnesota Chippewa Tribe shall officially become the Alliance of Ojibwe Anishinaabeg. The Minnesota Chippewa Tribe's Tribal Executive Committee shall dissolve itself upon adoption. The General Assembly shall enact laws in conformance with this Declaration within eighteen (18) months of its ratification, provided that the provisions for Article X shall be enacted within six (6) months of its ratification.